

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT \_\_\_\_\_

**FILED**

OCT 07 2020

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

Hester Wagner

)

)

)

(Enter above the NAME of the  
plaintiff in this action.)

)

v.

)

3:20-cv-00430

Rusty Loza

)

Tammy Reagan

)

)

(Enter above the NAME of each  
defendant in this action.)

)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS  
(42 U.S.C. Section 1983)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES ( ) NO (✓)

B. If your answer to A is YES, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiffs: N/A

Defendants: N/A

2. COURT: (If federal court, name the district; if state court, name the county):  
N/A
3. DOCKET NUMBER: N/A
4. Name of Judge to whom case was assigned: N/A
5. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit: N/A
7. Approximate date of disposition: N/A

II. PLACE OF PRESENT CONFINEMENT: Bledsoe County Corr. Complex

A. Is there a prisoner grievance procedure in this institution? YES (✓) NO ( )

B. Did you present the facts relating to your complaint in the prisoner grievance procedure?  
YES (✓) NO ( )

C. If your answer is YES,

1. What steps did you take? Filed a written Inmate  
Grievance Form

2. What was the result? One was a written response /  
prison transfer, last one was never answered

D. If your answer to B is NO, explain why not. N/A

E. If there is no prison grievance procedure in the institution, did you complain to the prison authorities? YES ( ) NO ( )

F. If your answer is YES,

1. What steps did you take? N/A

2. What was the result? N/A

### III. PARTIES

(In item A below, please print your name in the first blank and place your present address in the second blank. Do the same for any additional plaintiffs.)

A. Name of plaintiff: Hester Wagner #429507  
Present address: BCCX, 1045 Horsehead Rd, Pikeville, TN 37367  
Permanent home address: 749 Debusk Ln, New Tazewell, TN 37825  
Address of nearest relative: (same as above)

(In item B below, place the FULL NAME of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the additional names, positions, and places of employment of any additional defendants.)

B. Defendant: Rusty Loza  
Official position: LPN / Mtg  
Place of employment: Claihorne County Detention Center / SHP  
C. Additional defendants: Tammy Reagan, Jail Administrator,  
Claihorne County Detention Center

### IV. STATEMENT OF CLAIM

(State here as briefly as possible the FACTS of your case. Describe how EACH defendant is involved. Include also the names of other persons involved, dates and places. DO NOT give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.)

(1) ON 7/6/20, 7/30/20, 8/12/20, and on 9/30/20,  
I filed medical requests to Rusty Loza, to



have Ft. Sanders Medical Center contacted so that a surgery date could be scheduled so that I could have stints placed into my lower two heart valves due to vegetation/regurgitating of blood in and around my heart. Also on all of those dates I requested that I be treated for chronic hep-c and/or be seen by the doctor. To date, none of the above has been done by Rusty Loza.

(2). On 9/21/20, I filed a general request with Tammy Reagan, about all of my medical requests and she failed to respond.

(3). On 9/25/20, I filed a inmate grievance form to Tammy Reagan, about the fastcase (law library) website being unavialble resulting in me not having access to the courts.

(4). On 9/28/20, I filed a inmate grievance form to Tammy Reagan due to me not having the required right of at least one (1) appeal process of the grievance process in order for me to exhaust my administrative remedies.

V. RELIEF

(State BRIEFLY exactly what you want this Court to do for you. Make NO legal arguments.

Cite NO cases or statutes.)

That I be afforded a trial by a jury.  
That I receive punitive and monetary damages  
from both defendants and I be allowed to  
sue in both individual and officially  
competitors. That I be appointed counsel

I (We) hereby certify under penalty of perjury that the above complaint is true to the best of my (our) information, knowledge and belief.

Signed this fourth (4) day of October, 2020.

Lester Wagner  
Signature of plaintiff(s)